

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

CYNTHIA K. HAYNES (a/k/a Cynthia K.)	
Randolph), individually and under the Missouri)	
Wrongful Death Statute)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:21-CV-00160-SNL
)	
JENNIFER WILLIAMS, individually, et al.)	
)	
Defendant.)	

DEFENDANT HAYNES' MOTION FOR ADDITIONAL TIME TO RESPOND TO THE
AMENDED COMPLAINT

Comes now Defendant, Charles Haynes, by and through undersigned counsel, and for his Motion for Additional Time to File Responsive Pleadings, Motions, and/or Answers to Plaintiff's Amended Complaint, up and through and including January 10, 2022, and states as follows:

1. On November 12, 2021, Plaintiff filed her Amended Complaint in this case.
2. On November 17, 2021, Defendant Haynes was served with a copy of the summons and the Amended Complaint.
3. Pursuant to Federal Rule of Civil Procedure Rule 12, Defendant Haynes' responsive pleadings, motions, and/or Answer to Amended Complaint are due to be filed in this Court on December 8, 2021.
4. The undersigned counsel was appointed to provide a defense for Defendant in this action on or about January 25, 2022.
5. On or about January 26, 2022, this Court ordered Defendant Haynes' responsive

pleadings due on February 25, 2022.

6. The Amended Complaint arises out of events that occurred in a domestic relations matter which began in 2013 and is not yet resolved. The Amended Complaint is seventy (70) pages long and includes two hundred-sixty-seven (267) paragraphs alleging wrongful death arising, in part, from Defendant Haynes conduct.

7. Defendant Haynes is incarcerated in the Missouri Department of Corrections at the Farmington Correctional Center ("The Facility") which impedes ready access to Defendant due to visiting protocols including but not limited:

- a) The Facility requires at least 7 days' notice and warden approval of attorney visits,
- b) Visits are permitted only Monday thru Thursday; and
- c) COVID19 protocols have been imposed without notice which further impedes counsel's timely access to Defendant Haynes.

8. The undersigned counsel conducted an in-person visit with Defendant Haynes on February 3, 2022 but has not had opportunity to revisit Defendant to review drafted responsive pleadings for Defendant's approval.

9. Accordingly, Defendant Haynes respectfully request an extension of time, up through and including, March 25, 2022, to file his responsive pleadings, motions, and/or answers to the Amended Complaint.

10. The additional time is necessary so that Defendant Haynes' counsel may meaningfully involve Defendant Haynes in the preparation of responsive pleadings, the investigation of the allegations and address discrepancies, if any, in the background facts related to this case.

11. Defendant's request for additional time is not done to prejudice any other parties to this cause of action or to cause undue delay in these proceedings.

WHEREFORE, Defendant, Charles Haynes, respectfully requests that this Court enter an Order extending the deadline for him to file responsive pleadings, motions, and/or an Answer to the Amended Complaint, up through and including March 25, 2022, and for such other relief as the Court deems necessary under the circumstances.

Respectfully submitted,

/s/ Cira R. Duffe
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Attorney for Defendant

CERTIFICATE OF SERVICE

Cira R. Duffe certifies that she filed Defendant's Motion to Continue the trial setting electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Assistant United States Attorney.

Dated March 3, 2022.

/s/ Cira R. Duffe